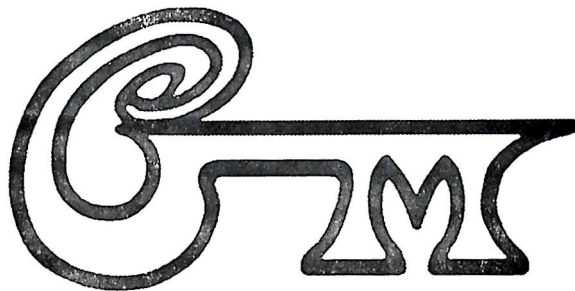


# **Notes From The Underground**



**WHAT IF WE REFUSE  
TO APOLOGISE**

**A FREE PUBLICATION  
Volume 4/2001**

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A FREE PUBLICATION

## WHAT IF WE REFUSE TO APOLOGISE

### CONTENTS

<b>NO MORE APOLOGIZES</b> by Margo Ross .....	1
<b>VICTORY FOR TRANSGENDERED CANADIANS</b> Micheline Montreuil .....	2
<b>MR. DRESS UP</b> .....	3
<b>SHAKE IT OFF</b> from Rickie .....	3
<b>CANADIAN HERITAGE - GBLT IN ACTION</b> by Lynn Lefevre. ....	3
<b>TRANSSEXUAL SUES UNITED, CLAIMING AIRLINE EMPLOYEES ORDERED HIM TO CHANGE INTO MEN'S CLOTHING</b> , The Associated Press .....	4
<b>INTIMACY</b> from Kaitlin Acres .....	4
<b>IT IS YOUR MAIL BOX</b> .....	5
<b>Up Coming Events</b> .....	5
<b>YOUR EXECUTIVE</b> .....	5

### NO MORE APOLOGIZES by Margo Ross

During the course of my awareness in and with the Transgendered community, I have been struck the enormous similarity with our community and those of the following civil rights communities: Afro Canadian/Americans, Disabled, Aboriginal and a growing list of ethnic and religious communities who have been historically disenfranchised.

In each case their rights, freedoms and even the acknowledgement of their very existence and their numbers have been denied, dismissed and threatened by the traditional establishment of society.

Equally significant is the pattern of emancipation, not granted by society but developed from within these communities. In other words only when a distinct minority group refused to continue to perpetrate their

internal community's mythology of their devalued status did they move toward the stages of real freedom.

First, on an individual basis, then in collective units (Gender Mosaic) which raised a public head be that in marches, attending meetings and running for positions of authority and power. Finally publicly identified their presence an act of refusing to accept the previously held position that they are not entitled to be where ever they want to be.

I see our community on that pathway, we must however, clearly refuse to accept the often self imposed position that being transgendered is a mistake, a birth error or a cross to bear.

We are who and what we are, and no more or no less because of that fact. No one today would expect a black person, an aboriginal person or a religious minority to apologize for how they were born. The very

thought is so unacceptable that it would be immediately dismissed or challenged as foolish and harmful old thinking.

Yet, I hear it often within our community, and I see those who believe it is too hard to be who you are and even those who want to "fit in" to their non gender identity because it is just easier to lie to one's self.

**It is written that the truth shall set you free. That is only true however, if and when you believe it and test that truth on a daily basis.**

There is much for us to do, to break the barriers set by our self imposed invisibility, then and only then can we like those in the freedom march before us stand up and say the words of Martin Luther King, "I am free, free at last"

**VICTORY FOR TRANSGENDERED CANADIANS - Micheline Montreuil in Federal Court of Canada** to get in touch with her - milady@cmq.qc.ca (Micheline Montreuil)

In June 1999, I have deposit a claim in front the Canadian Human Rights Commission against the National Bank of Canada for discrimination in employment.

The Canadian Human Rights Commission has refused to exam my claim for a question of signature because the Commission had decided that I do not have the right to sign this claim under my current signature of "Micheline Montreuil" even if my claim is receivable.

On May 3, 2000, I have deposit a "Notice of demand of judicial control under section 18.1 of Federal Court Act to force the Commission to exam my claim.

The National Bank of Canada have contested firmly my claim and this contestation of the Bank has required five hearings in Federal Court of Canada on August 18, 2000, September 14, 2000, October 13, 2000, January 16, 2001 and August 16 2001 and, obviously, five different judgments.

Finally, on the judgment in date of August 21, 2001, Mrs Justice Danièle Tremblay-Lamer order to the Commission to exam my claim and blame the Commission for its "formalism".

More precisely, Mrs Justice Danièle Tremblay-Lamer has said (home translation): Even if the Canadian Human Rights Act give a large discretion to determine if a claim is deposit in an acceptable form, at my opinion, this provision does not permit to the Commission to

refuse arbitrairy a claim that is prima facie under its jurisdiction, on the simple fact that the signature on the form of claim is not the same than the name that it appears on the birth certificate but it is the current signature of the petitioner.

Furthermore, I find astonishing the fact that the Commission requires from everybody to be very smooth and tolerant in human relations but acts in a very formal way for itself mainly in case with so special circumstances. it is probably the reason why the Commission has decided not to interveine to avoid to explain to the Federal Court how its jurisdiction may be affected by the simple fact that the claim is signed under the current signature on the petitioner.

Consequently, I grant the demand of judicial control of the petitioner. I order to the Commission to accept that the claim of the petitioner be signed by the petitioner under her current signature of «Micheline Montreuil»

If you wish the precise reference of this judgment Montreuil c. Banque nationale du Canada Federal Court of Canada, Number T-799-00 Judgment in date of August 21, 2001. It is just a little victory but I am on the right way We must keep our faith and continue the fight.



## MR. DRESS UP

Many people remember and hold fond thoughts about "Mr. Dressup", the late Ernie Coombs. Within the transgendered community he holds an even high role for his messages was to "act out your fantasy through costume". Although being transgendered is NOT a fantasy play or a moment of freedom his message was one of permission, approval and has he has been seen as supportive of the TG community and reality. So we say thanks for breaking the social stigma barriers.

## SHAKE IT OFF

from Rickie

One day a farmer's donkey fell down into a well. The animal cried piteously for hours as the farmer tried to figure out what to do. Finally he decided the animal was old and the well needed to be covered up anyway, it just wasn't worth it to retrieve the donkey. He invited all his neighbours to come over and help him. They all grabbed a shovel and began to shovel dirt into the well. At first, the donkey realized what was happening and cried horribly. Then, to everyone's amazement, he quieted down. A few shovel loads later, the farmer finally looked down the well and was astonished at what he saw. With every shovel of dirt that hit his back, the donkey

was doing something amazing. He would shake it off and take a step up. As the farmer's neighbours continued to shovel dirt on top of the animal, he would shake it off and take a step up. Pretty soon, very one was amazed as the donkey stepped up over the edge of the well and trotted off!

Life is going to shovel dirt on you, all kinds of dirt. The trick to getting out of the well is to shake it off and take a step up. Each of our troubles is a stepping stone. We can get out of the deepest wells just by not stopping, never giving up! Shake it off and take a step up! Remember the five simple rules to be happy:

1. Free your heart from hatred.
2. Free your mind from worries.
3. Live simply.
4. Give more.
5. Expect less.

Someone sent this to me to think over so I am forwarding it to you. From Rickie

## CANADIAN HERITAGE - GBLT IN ACTION

by Lynn Lefevre  
VirPleX Entertainment, Inc.  
<http://www.virplex.net>

*This how you to can make it happen one awareness at a time, congratulations Lynn!*

Our first annual GLBT info table at Canadian Heritage was

a great success. Thanks to everyone who contributed pamphlets, programmes and videos! I look forward to doing this again next year.

Following is the message that was sent to all employees of prior to the event:

Subject: Semaine de la Fierté gaie, du 6 au 15 juillet 2001 / Gay Pride Week, July 6 to 15, 2001

À l'occasion de la Semaine de la Fierté gaie, qui sera célébrée à Ottawa du 6 au 15 juillet prochains, des employés de Patrimoine canadien tiendront un kiosque d'information au rez-de-chaussée du 15, rue Eddy, aux Terrasses de la Chaudière, la journée du 5 juillet.

Le Groupe des gais, lesbiennes, bisexuel-les et transgenres de Patrimoine canadien a été créé en 1997 à la suite du premier Forum sur la diversité tenu au ministère. Il accueille toutes les personnes désireuses d'en faire partie, tient des rencontres régulières pour ses membres et participe activement à l'application de la politique d'équité et diversité en matière d'emploi, qui encourage une diversité inclusive et vise à faire du ministère un milieu de travail où il fait bon travailler.

Je vous invite à vous arrêter au kiosque, où vous pourrez trouver de l'information à la fois sur le Groupe et sur la réalité de cette communauté.

Bonne semaine de la Fierté!

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In honour of Gay Pride Week, to be held in Ottawa from July 6 to 15, 2001, employees of Canadian Heritage will have an information booth in the lobby of 15 Eddy Street, Terrasses de la Chaudière, on July 5.

The Gay, Lesbian, Bisexual and Transgendered Employees' group of Canadian Heritage was created in 1997 following the first Diversity Forum held in the Department. The group welcomes anyone wishing to join, holds regular meetings for its members and takes an active part in the implementation of the employment equity and diversity policy, that promotes inclusive diversity and is intended to make the Department a workplace of choice.

I invite you to stop by the booth where you will find information about the group and about the reality of this community.

**TRANSSEXUAL SUES UNITED, CLAIMING AIRLINE EMPLOYEES**

**ORDERED HIM TO CHANGE INTO MEN'S CLOTHING**, The Associated Press

CHICAGO (AP) A transsexual is suing United Airlines, claiming he was ordered to get off an airplane and change into men's clothing before re-boarding. Richard Ward, also known as Sarah West, was on a flight from Omaha, Neb., to Chicago, where he was scheduled to take a connecting flight home to London.

When Ward showed United staff his British passport, identifying him as a man, United employees told him to get off the plane and change into men's clothing, according to the lawsuit filed Tuesday in Cook County Circuit Court.

Ward says he showed United staff a letter from his doctor that explained it was normal for him to dress as a woman because he was undergoing treatment for "male to female transsexualism." But Ward claims he was told he would not be able to fly until he looked more like his passport photo.

United spokesman Andy Plews said he could not comment specifically because he had not seen the lawsuit. "United's record on diversity speaks for itself," Plews told the Chicago

Sun-Times. "We were named one of Fortune's top 50 companies on diversity."

The lawsuit seeks more than \$50,000 in damages.

**INTIMACY**  
from Kaitlin Acres

In the documentary "Southern Comfort" there was an interesting discussion on 'intimacy vs sex'. Intimacy being much more relational or spiritual than sex. Also over the past while I have known several spouses of TG people say that their partners feminine traits make them feel like lesbians. I will assume that the objection is because they feel the description is inaccurate rather than any objection to homosexuality. These two items have come together in my mind and the following is the result.

It is said that men, generally, will engage in a sexual relationship with any woman he finds physically attractive, any place at any time and perhaps later think to inquire about her name. Women, on the other hand want to be romanced. They are particular about the location and time and are interested in the character and personality of the man involved. A woman will want an acceptable relationship to be established before entering into sexual activity. Many times a